

**AMENDMENTS TO THE CLAIMS**

Claim 1 (currently amended): A song data reproduction apparatus comprising:  
a transmitting section that sends an order for requesting a purchase or a preview of a content of a music performance to a server;

a receiving section that receives song data from the server in response to the order, the song data being composed of performance data and order information corresponding to the performance data, the performance data representing the content of the music performance and containing reproduction limiting information for limiting a reproduction state of the content of the music performance, the order information indicating at least either a purchase or a preview associated with a usage right of the content of the music performance;

~~a storage section that stores song data composed of performance data and order information corresponding to the performance data, the performance data representing a content of a music performance and containing reproduction limiting information for limiting a reproduction state of the content of the music performance, the order information indicating at least either of a purchase or a preview associated to a usage right of the content of the music performance;~~

a determining section that determines whether the song data has already been stored in the storage section;

a writing section that rewrites the order information contained in the stored song data with the order information contained in the received song data when the determining section determines that the song data has already been stored and that writes the received song data into the storage section when the determining section determines that the song data is not stored in the storage section;

a usage right identification section that refers to the order information of the song data containing the performance data to be reproduced, for identifying the usage right of the content of the music performance in terms of the purchase or preview;

a limiting information read section that reads the reproduction limiting information from the performance data when the identified usage right indicates the preview, and does not read the

reproduction limiting information from the performance data when the identified usage right indicates the purchase; and

a reproduction control section that specifies a portion of the performance according to the read reproduction limiting information when the identified usage right indicates the preview, then reproduces only the specified portion of the performance data, and does not reproduce other portions of the content of the performance data than the specified portion, the reproduction control section reproducing all of the performance data when the identified usage right indicates the purchase, wherein the reproduction control section reproduces all of the performance data without reading the reproduction limiting information when the writing section rewrites the order information indicating the preview to the order information indicating the purchase.

Claim 2 (original): The song data reproduction apparatus according to claim 1, wherein the reproduction limiting information contains information for limiting a reproduction time of the music performance, so that the reproduction control section limits the reproduction time of the music performance in accordance with the read reproduction limiting information.

Claim 3 (original): The song data reproduction apparatus according to claim 1, wherein the reproduction limiting information contains information for specifying a channel among a plurality of channels usable for reproducing the music performance, so that the reproduction control section uses only the specified channel for reproducing the music performance in accordance with the read reproduction limiting information.

Claim 4 (canceled)

Claim 5 (currently amended): A song data reproduction method executable by a song data reproduction apparatus having a processor and a storage ~~for storing song data composed of performance data and order information corresponding to the performance data, the performance data representing a content of a music performance and containing reproduction limiting information for limiting a reproduction state of the content of the music performance, the order information indicating at least either of a purchase or a preview associated to a usage right of the content of the music performance~~, the method comprising the steps of:

sending an order for requesting a purchase or a preview of a content of a music performance to a server;

receiving song data from the server in response to the order, the song data being composed of performance data and order information corresponding to the performance data, the performance data representing the content of the music performance and containing reproduction limiting information for limiting a reproduction state of the content of the music performance, the order information indicating at least either a purchase or a preview associated with a usage right of the content of the music performance;

determining whether the song data has already been stored in the storage;

rewriting the order information contained in the stored song data with the order information contained in the received song data when the step of determining determines that the song data has already been stored and writing the received song data into the storage when the step of determining determines that the song data is not stored in the storage;

referring to the order information in the song data containing the performance data to be reproduced, for identifying the usage right of the content of the music performance in terms of the purchase or preview;

reading the reproduction limiting information from the performance data when the identified usage right indicates the preview and not reading the reproduction limiting information from the performance data when the identified usage right indicates the purchase;

specifying a portion of the performance data according to the read reproduction limiting information when the identified usage right indicates the preview;

reproducing only the specified portion of the performance data and not reproducing other portions of the content of the performance data than the specified portion; and

reproducing all of the performance data when the identified usage right indicates the purchase wherein the step of reproducing reproduces all of the performance data without reading the reproduction limiting information when the step of rewriting rewrites the order information indicating the preview to the order information indicating the purchase.

Claim 6 (previously presented):      The method according to claim 5, wherein the reproduction limiting information contains information for limiting a reproduction time of the music performance, so that the reproduction control step limits the reproduction time of the music performance in accordance with the read reproduction limiting information.

Claim 7 (previously presented):      The method according to claim 5, wherein the reproduction limiting information contains information for specifying a channel among a plurality of channels usable for reproducing the music performance, so that the reproduction control step uses only the specified channel for reproducing the music performance in accordance with the read reproduction limiting information.

Claim 8 (canceled)

Claim 9 (currently amended): A song data recording medium ~~for recording song data composed of performance data and order information corresponding to the performance data, the performance data representing a content of a music performance and containing reproduction limiting information for limiting a reproduction state of the content of the music performance, the order information indicating at least either of a purchase or a preview associated to a usage right of the content of the music performance~~, wherein the medium is readable by a computer for causing the computer to perform the steps comprising:

sending an order for requesting a purchase or a preview of a content of a music performance to a server;

receiving song data from the server in response to the order, the song data being composed of performance data and order information corresponding to the performance data, the performance data representing the content of the music performance and containing reproduction limiting information for limiting a reproduction state of the content of the music performance, the order information indicating at least either a purchase or a preview associated with a usage right of the content of the music performance;

determining whether the song data has already been stored in the medium;

rewriting the order information contained in the stored song data with the order information contained in the received song data when the step of determining determines that the song data has already been stored and writing the received song data into the storage when the step of determining determines that the song data is not stored in the medium;

referring to the order information in the song data containing the performance data to be reproduced, for identifying the usage right of the content of the music performance in terms of the purchase or preview;

reading the reproduction limiting information from the performance data when the identified usage right indicates the preview and not reading the reproduction limiting information from the performance data when the identified usage right indicates the purchase;

specifying a portion of the performance data according to the read reproduction limiting information when the identified usage right indicates the preview;

reproducing only the specified portion of the performance data and not reproducing other portions of the content of the performance data than the specified portion; and

reproducing all of the performance data when the identified usage right indicates the purchase wherein the step of reproducing reproduces all of the performance data without reading the reproduction limiting information when the step of rewriting rewrites the order information indicating the preview to the order information indicating the purchase.

Claim 10 (original): The song data recording medium according to claim 9, wherein the reproduction limiting information contains information for limiting a reproduction time of the music performance, whereby the song data reproduction apparatus limits the reproduction time of the music performance in accordance with the read reproduction limiting information.

Claim 11 (original): The song data recording medium according to claim 9, wherein the reproduction limiting information contains information for specifying a channel among a plurality of channels usable for reproducing the music performance, whereby the song data reproduction apparatus uses only the specified channel for reproducing the music performance in accordance with the read reproduction limiting information.

Claim 12 (canceled)

Claim 13 (currently amended): A server apparatus connectable to a user-terminal song data reproduction apparatus through a communication network, comprising:

a receiving section that receives an order for requesting a preview or purchase of a song from the user-terminal song data reproduction apparatus through the communication network; and

a creating section that operates when the received order requests the preview for creating data of the song, said data composed of performance data representing a content of a music performance of the song and containing reproduction limiting information for limiting a reproduction state of the content of the music performance, and order information indicating that a usage right of the content of the music performance is limited to the preview, the reproduction limiting information specifying a portion of the content not to be reproduced, said creating section operates when the received order requests the purchase for creating data of the song, said data composed of performance data representing the content of the music performance of the song, and order information indicating that a usage right of the content of the music performance is not limited, wherein the same performance data is commonly used for both the data of the song containing the order information indicating the preview and the data of the song containing the order information indicating the purchase; and

a transmitting section that transmits the data of the song to the user-terminal song data reproduction apparatus through the communication network, ~~wherein~~

~~the data of the song comprises performance data and order information corresponding to the performance data, the performance data representing a content of a music performance of the song and containing reproduction limiting information for limiting a reproduction state of the content of the music performance, the order information either of a preview order indicating that a usage right of the content of the music performance is limited to the preview, or a purchase order that the usage right of the content of the music performance is not limited,~~

thereby enabling the user-terminal song data reproduction apparatus to recognize the order information so that the user-terminal song data reproduction apparatus specifies a portion of the content of the music performance in accordance with the reproduction limiting information when the recognized usage right indicates the preview, then reproduces only the specified portion of the performance data, and does not reproduce other portions of the content of the performance data than

the specified portion, and so that the ~~user-terminal~~ song data reproduction apparatus does not read the reproduction limiting information and reproduces all of the performance data when the ~~identified~~ recognized usage right indicates the purchase,

wherein the song data reproduction apparatus has a storage, and receives the data of the song from the server apparatus, determines whether the data of the song has been already stored in the storage, rewrites the order information contained in the stored data of the song to the order information contained in the received data of the song when the data of the song has already been stored, and writes the received data of the song into the storage when the data of the song is not stored in the storage, wherein the song data reproduction apparatus reproduces all of the performance data without reading the reproduction limiting information when the order information indicating the preview is rewritten to the order information indicating the purchase.

Claim 14 (canceled)

Claim 15 (original): The server apparatus according to claim 13, wherein the reproduction limiting information contains at least one of information for limiting a reproduction time of the music performance, information for limiting a plurality of channels usable for reproducing the music performance, and information for limiting various functions available for reproducing the music performance.

Claim 16 (previously presented): The song data reproduction apparatus according to claim 1, wherein

the storage section stores order information indicating a level of the preview associated to one or more levels of the usage right, and stores the reproduction limiting information specifying one or more conditions of limiting the reproduction state of the content of the music performance in correspondence to one or more levels of the preview;

the limiting information read section reads one of the conditions of limiting the reproduction state specified by the reproduction limiting information from the performance data in correspondence to the level of the preview indicated by the order information; and

the reproduction control section controls the reproduction state of the content of the music performance in accordance with the read condition specified by the reproduction limiting information.

Claim 17 (previously presented): The method according to claim 5, wherein the storage stores order information indicating a level of the preview associated to one or more levels of the usage right, and stores the reproduction limiting information specifying one or more conditions of limiting the reproduction state of the content of the music performance in correspondence to one or more levels of the preview;

said step of reading comprises reading one of the conditions of limiting the reproduction state specified by the reproduction limiting information from the performance data in correspondence to the level of the preview indicated by the order information; and

said step of controlling comprises controlling the reproduction state of the content of the music performance in accordance with the read condition specified by the reproduction limiting information.

Claim 18 (previously presented): The medium according to claim 9, wherein the medium stores order information indicating a level of the preview associated to one or more levels of the usage right, and stores the reproduction limiting information specifying one or more conditions of limiting the reproduction state of the content of the music performance in correspondence to one or more levels of the preview; and wherein

said step of reading comprises reading one of the conditions of limiting the reproduction state specified by the reproduction limiting information from the performance data in correspondence to the level of the preview indicated by the order information; and

said step of controlling comprises controlling the reproduction state of the content of the music performance in accordance with the read condition specified by the reproduction limiting information.

Claim 19 (currently amended): A song data reproduction apparatus comprising:

a transmitting section that sends an order for requesting a purchase or a preview of a content of a music performance to a server;

a receiving section that receives song data from the server in response to the order, the song data being composed of performance data and order information corresponding to the performance data, the performance data representing the content of the music performance and containing reproduction limiting information for limiting a reproduction state of the content of the music performance, the order information indicating at least either a purchase or a preview associated with a usage right of the content of the music performance;

~~a storage section that stores song data composed of performance data and order information corresponding to the performance data, the performance data representing a content of a music performance and containing reproduction limiting information for limiting a reproduction state of the music performance where a plurality of reproduction functions are available in reproducing of the performance data, the order information indicating at least either of a purchase or a preview associated to a usage right of the content of the music performance;~~

a determining section that determines whether the song data has already been stored in the storage section;

a writing section that rewrites the order information contained in the stored song data with the order information contained in the received song data when the determining section determines that the song data has already been stored and that writes the received song data into the storage section when the determining section determines that the song data is not stored in the storage section;

a usage right identification section that refers to the order information of the song data containing the performance data to be reproduced, for identifying the usage right of the content of the music performance in terms of the purchase or preview;

a limiting information read section that reads the reproduction limiting information from the performance data when the identified usage right indicates the preview, and does not read the reproduction limiting information from the performance data when the identified usage right indicates the purchase; and

a reproduction control section that specifies one or more of the plurality of the reproduction functions according to the read reproduction limiting information when the identified usage right indicates the preview, then enables only the specified reproduction functions for reproducing the performance data and disables other reproduction functions than the specified reproduction function, the reproduction control section enabling all of the reproduction functions for reproducing the performance data when the identified usage right indicates the purchase wherein the reproduction control section enables all of the reproduction functions without reading the reproduction limiting information when the writing section rewrites the order information indicating the preview to the order information indicating the purchase.